

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1157 be amended to read as follows:

- 1 Page 6, line 41, delete "," and insert "**under IC 20-5-2.7,**".
- 2 Page 7, line 7, delete "," and insert "**under IC 20-5-2.7,**".
- 3 Page 9, line 39, after "and" insert ", **except as provided in this**
- 4 **chapter,**".
- 5 Page 10, line 6, delete "at the beginning of each fiscal year".
- 6 Page 10, line 6, delete "a contribution" and insert "**contributions**".
- 7 Page 10, line 9, delete "Annual contributions" and insert
- 8 "**Contributions**".
- 9 Page 10, between lines 17 and 18, begin a new paragraph and insert:
- 10 "**(d) Contributions to the self-insurance fund under subsection**
- 11 **(b) may be collected on an annual, quarterly, or monthly basis, as**
- 12 **determined by the governing authority of the cooperative**
- 13 **program.**".
- 14 Page 11, between lines 7 and 8, begin a new paragraph and insert:
- 15 "**(c) The following must be submitted to and approved by the**
- 16 **commissioner before a cooperative program may commence**
- 17 **operations:**
- 18 (1) **The interlocal agreement described in subsection (a).**
- 19 (2) **The bylaws described in subsection (b).**
- 20 (3) **The cooperative program's method of determining:**
- 21 (A) **contributions;**
- 22 (B) **reserves;**
- 23 (C) **limits of self-insured risk; and**

(D) sufficient specific insurance coverage and aggregate insurance coverage;
and all background information and data used in making the determinations.

(4) Any other information determined necessary by the commissioner.

Information submitted to the commissioner under this subsection is confidential.

(d) If the commissioner does not disapprove any of the items specified in subsection (c) earlier than sixty (60) days after the items are submitted to the commissioner, the items are considered approved."

Page 12, between lines 22 and 23, begin a new paragraph and insert:

"(e) A cooperative program is subject to IC 27-9."

Page 12, line 40, after "17." insert "(a) The commissioner shall establish the following for a cooperative program:

- (1) Appropriate aggregate insurance coverage levels.
- (2) Appropriate specific insurance coverage levels.
- (3) Sufficient reserve levels in the self-insurance fund.
- (4) Deposits.
- (5) Any additional financial reporting.
- (6) Fidelity bonds.

(b) The commissioner shall examine a cooperative program at least one (1) time every five (5) years to assure compliance with requirements established by or under this chapter.

Sec. 18."

Page 13, between lines 20 and 21, begin a new paragraph and insert:

"SECTION 5. IC 27-9-1-1, AS AMENDED BY P.L.5-2000, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. Proceedings under this article apply to the following:

- (1) All insurers who are doing, or who have done, insurance business in Indiana, and against whom claims arising from that business may exist.
- (2) All insurers who purport to do insurance business in Indiana.
- (3) All insurers who have insureds resident in Indiana.
- (4) All other persons organized or in the process of organizing with the intent to do an insurance business in Indiana.
- (5) All nonprofit service plans, fraternal benefit societies, and beneficial societies.
- (6) All title insurance companies.
- (7) All health maintenance organizations under IC 27-13.
- (8) All multiple employer welfare arrangements under IC 27-1-34.
- (9) All limited service health maintenance organizations under

- 1 IC 27-13-34.
- 2 (10) All mutual insurance holding companies under IC 27-14.
- 3 **(11) All cooperative programs established under**
- 4 **IC 20-5-2.7."**
- 5 Renumber all SECTIONS consecutively.
(Reference is to HB 1157 as printed January 30, 2004.)

Representative Ripley